

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JAYSON CORTES and LUIS J.  
VENTURA,

Plaintiffs,

-against-

**MEMORANDUM AND ORDER**

14-CV-7562 (FB) (RER)

WARB CORPORATION, JOSE  
ROSADO, WILSON RODRIGUEZ,

Defendants.

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*Appearances:*

*For the Plaintiffs:*

ALEXANDER T. COLEMAN  
MICHAEL J. BORRELLI  
ALEXANDER GASTMAN  
Borelli & Associates PLLC  
1010 Northern Blvd  
Great Neck, NY 11021

**BLOCK, Senior District Judge:**

On March 15, 2016, Magistrate Judge Ramon E. Reyes, Jr. issued a Report and Recommendation (“R&R”) recommending that a default judgment be entered against defendants, and that Jayson Cortes and Luis Ventura be awarded \$89,608.60 and \$83,870.19, respectively, in damages, \$8,772.50, jointly, in attorney’s fees, and \$569.70, jointly, in costs. The R&R further provided that failure to object within fourteen days would preclude appellate review. To date, no objections have been filed.

If clear notice has been given of the consequences of the failure to object, and there are no objections, the Court may adopt the R&R without *de novo* review. *See Mario v. P & C Food Mkts., Inc.*, 313 F.3d 758, 766 (2d Cir. 2002) (“Where parties receive clear notice of the consequences, failure to timely object to a magistrate’s report and recommendation operates as a waiver of further judicial review of the magistrate’s decision.”). The Court will excuse a failure to object and conduct *de novo* review if it appears that the magistrate judge may have committed plain error. *See Spence v. Superintendent, Great Meadow Corr. Facility*, 219 F.3d 162, 174 (2d Cir. 2000). No such error appears here. Accordingly, the Court adopts the R&R without *de novo* review and directs the Clerk of the Court to enter judgment in accordance with the R&R.

**SO ORDERED.**

Frederic Block  
FREDERIC BLOCK  
Senior United States District Judge

Brooklyn, New York  
March 30, 2016